



PATENT
Attorney Docket No. **CIT1310-1**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Albani and Prakken Art Unit: 1633
Application No.: 09/828,574 Examiner Unassigned
Filed: April 6, 2001
Title: STRESS PROTEINS AND PEPTIDES AND METHODS OF USE THEREOF

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING
PARTS OF NONPROVISIONAL APPLICATION**

Sir:

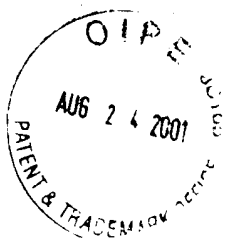
In response to the Notice to File Missing Parts of Nonprovisional Application mailed June 21, 2001, enclosed are:

- (1) Notice to File Missing Parts (2 pages);
- (2) Executed Declaration (3 pages);
- (3) Power of Attorney by Assignee (2 pages);
- (4) Preliminary Amendment (3 pages);
- (5) Statement Under 37 C.F.R. Sections 1.821(f) and (g) and 37 C.F.R. Section 1.825(b) (1 page);
- (6) Verified Statement Under 37 C.F.R. Section 1.821(f) (1 page);
- (7) Sequence Listing (6 pages);
- (8) Disk containing Sequence Listing;
- (9) Check in the amount of \$982.00;

CERTIFICATION UNDER 37 CFR §1.8

I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on August 21, 2001, in an envelope addressed to: **Box Missing Parts**, Commissioner for Patents, Washington, D.C. 20231

In re Application of:
Albani and Prakken
Application No.: 09/828,574
Filed: April 6, 2001
Page 2



PATENT
Attorney Docket No.: UCSD1310-1

10) Return postcard.

The filing fee is calculated below. This application is entitled to Small Entity status.

Basic filing fee				\$355.00
Total claims over 20	43	x	\$9.00	387.00
Independent claims over 3	1	x	40.00	40.00
Surcharge for late filing				65.00
Multiple dependent claim fee				135.00
Total filing fee				\$982.00

Enclosed is a check in the amount of \$982.00 which consists of \$355.00 filing fee; 43 additional claims (\$387.00); 1 additional independent claim (\$40.00); Multiple dependent claim fee (\$135.00) and surcharge fee (\$65.00). The Commissioner is authorized to charge any other fees, or credit any overpayments, to Deposit Account No. 50-1355. A copy of the Transmittal Sheet is enclosed.

Respectfully submitted,

Date: August 21, 2001

A handwritten signature in cursive script, appearing to read "Lisa A. Haile".

Lisa A. Haile, Ph.D.
Registration No. 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

GRAY CARY WARE & FREIDENRICH LLP
4365 Executive Drive, Suite 1600
San Diego, California 92121-2189
USPTO Customer Number 28213



Sec for \$
Box 1804
PATENT

ATTORNEY DOCKET NO. UCSD1310-1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Albani, et al. Art Unit: 1633
Application No.: 09/828,574 Examiner Unassigned
Filed: April 6, 2001
Title: STRESS PROTEINS AND PEPTIDES AND METHODS OF USE THEREOF

BOX MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

TRANSMITTAL LETTER

Transmitted herewith for filing regarding the above-identified patent application, please find the following:

- (1) Response to Notice to File Missing Parts (2 pages);
- (2) Notice to File Missing Parts (2 pages);
- (3) Executed Declaration (3 pages);
- (4) Power of Attorney by Assignee (2 pages);
- (5) Preliminary Amendment (3 pages);
- (6) Statement Under 37 C.F.R. Sections 1.821(f) and (g) and 37 C.F.R. Section 1.825(b) (1 page);
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- (8) Sequence Listing (6 pages);
- (9) Disk containing Sequence Listing;
- (10) Check in the amount of \$982.00;
- (11) Return postcard.

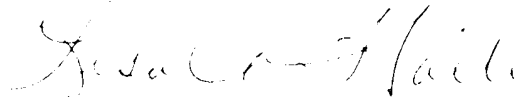
CERTIFICATION UNDER 37 CFR §1.8	
I hereby certify that the documents referred to as enclosed herein are being deposited with the United States Postal Service as first class mail on this date, August 21, 2001, in an envelope addressed to: Box Missing Parts, Commissioner for Patents, Washington, D.C. 20231	
Karen LeParo	
Name of Person Mailing Paper	
<i>Karen LeParo</i>	8/21/01
Signature	Date

Applicants: Albani and Proben
Serial No.: 09/828,574
Filed: April 6, 2001
Page 2

PATENT
Attorney Docket No.: UCSD1310-1

A check in the amount of \$982.00 is enclosed (\$917.00 for the filing fee; \$65.00 for surcharge for filing late declaration). The Commissioner is hereby authorized to charge the amount of any other fees, or credit any overpayments, to Deposit Account No. 50-1355.

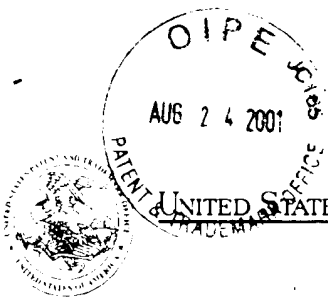
Respectfully submitted,



Date: August 21, 2001

Lisa A. Haile, J.D., Ph.D.
Registration No.: 38,347
Telephone: (858) 677-1456
Facsimile: (858) 677-1465

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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
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APPLICATION NUMBER	FILING RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09 828.574	04 06 2001	Salvatore Albani	UCSD1310-1

CONFIRMATION NO. 6601

FORMALITIES LETTER



OC000000006207955

Lisa A. Haile, Ph.D.
 Gray Cary Ware & Freidenrich LLP
 4365 Executive Drive, Suite 1600
 San Diego, CA 92121-2189

Date Mailed: 06/21/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

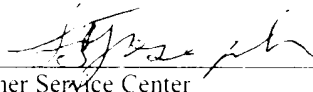
- The statutory basic filing fee is missing.
Applicant must submit \$ 355 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$562.
 - \$387 for 43 total claims over 20.
 - \$40 for 1 independent claims over 3 .
 - \$135 for multiple dependent claim surcharge
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 982.**
- This application clearly fails to comply with the requirements of 37 C F R 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of

another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF

For questions regarding compliance to these requirements, please contact:

- For Rules Interpretation, call (703) 308-4216
- To Purchase PatentIn Software, call (703) 306-2600
- For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

A copy of this notice MUST be returned with the reply.



Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE